

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jul 08, 2016

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FOREST JACOB SHIELDS,

Defendant.

No. CR-16-0012-JLQ

MEMORANDUM RE:  
PLEA AGREEMENT

On July 6, 2016, the court held a telephonic conference with counsel in which the court expressed its concern over acceptance of the Plea Agreement providing for a sentence on Count One of 144 months and a consecutive sentence of 60 months on Count 3 for a total sentence of 204 months. Counsel were given the opportunity to state the reasons why such a below Guideline sentence should be accepted by the court. Paragraph 3 of the Plea Agreement provides the Defendant may withdraw his pleas of guilty if the sentence exceeds 204 months.

The Guideline Range on Count 1 is 151-188 months and on Count 3 a consecutive sentence of 60 months for a total Guideline Range of 211-248 months. The non-binding recommendation from the Probation Officer is a sentence of 244 months. At the time set for sentencing in Yakima on July 18, 2016, after hearing further from counsel, the court will issue its final decision as to acceptance or rejection of the Plea Agreement with a maximum sentence of 204 months. At that time, the Defendant shall be prepared to state, if the court rejects the Plea Agreement, whether he wishes to withdraw his pleas of guilty or stand by the pleas and accept whatever sentence the court may impose, subject to his right of appeal.

1 The Clerk shall enter this Order and furnish copies to counsel.

2 Dated this 8<sup>th</sup> day of July, 2016.

3 s/ Justin L. Quackenbush  
4 JUSTIN L. QUACKENBUSH  
5 SENIOR UNITED STATES DISTRICT JUDGE  
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